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FISCAL IMPACT STATEMENT

LS 6706

BILL NUMBER: HB 1317

NOTE PREPARED: Dec 27, 2005

BILL AMENDED:

SUBJECT: Drug Offender Facility.

FIRST AUTHOR: Rep. Van Haaften

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. It requires the Commissioner of the Department of Correction (DOC) to designate one state-owned or operated correctional facility as a drug offender facility by January 1, 2008.
- B. It provides that a drug offender facility may be used to house an offender who: (1) is a drug-influenced offender; (2) has not committed a violent offense; (3) will be released in not more than 540 days; and (4) meets other criteria established by the Department.
- C. It authorizes the Department to adopt guidelines and procedures concerning the admission of offenders to the drug offender facility and to establish an appropriate treatment program within the facility.

Effective Date: July 1, 2006.

Explanation of State Expenditures: The Department of Correction could incur added costs depending on how many drug offenders it would accommodate at this prison facility by January 1, 2008. Under this bill, offenders can be eligible if they meet the following conditions:

- They have less than 540 days until their expected release date.
- They are drug-influenced offenders.
- They did not commit a violent offense.
- They are eligible for placement under guidelines and procedures that DOC would establish.

Offender Population by Security Level – As an illustration of the number of offenders who might be eligible for a drug offender facility, the Department of Correction reported that on November 21, 2005, 6,582 offenders

were incarcerated for a nonviolent offense (as specified by IC 11-12-3.7-6), had 540 or fewer days with earliest possible release date, and were in Credit Class 1. Offenders in Credit Class 1 comply with a facility's rules and regulations and receive a day cut off from their length of stay for each day at that level.

Type	Offenders
Drug-Related	2,033
Property Crimes	1,853
Vehicular-Related	937
Crimes Against Persons	505
Assistance in Felonies	412
Weapons-Related	246
Public Administration	200
Miscellaneous	193
Public Health Order and Decency	160
Failure to Register as Sex Offender	19
Tax-Related	13
Habitual Offenders	11
Grand Total	6,582

The number of staff needed to operate a facility for drug offenders depends on the following factors:

- the type of program offered,
- the type of offenders in these facilities, and
- the physical design of the facility.

Current DOC Efforts – DOC has opened programs for methamphetamine users in the following state correctional facilities during FY 2005:

- a 202-bed facility in the Miami Correctional Facility in April;
- a 200-bed facility in Wabash Valley Correctional Facility in June;
- a 100-bed facility in the Rockville Correctional Facility in September; and
- a 40-bed facility in the North Central Juvenile Facility in December for juveniles who are at risk of using methamphetamine upon release.

Offenders with 36 or fewer months before their earliest possible release date and with no record of assaults in the past six months are generally eligible to participate in these programs if they were convicted of a methamphetamine-related crime. DOC anticipates offenders will stay in meth facilities for six to nine months and then transfer to a transitional facility for up to 12 months prior to release.

Additional costs associated with these new meth facilities were limited to staff training. Custody staff were trained to work in education groups and provide orientation, while counselors were trained to perform some custody functions.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Diana Williams, Department of Correction.

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